

STATEMENT OF FACTS

Your affiant, Kurt S. Ormberg, is a Special Agent with the Federal Bureau of Investigation (FBI) assigned to the Joint Terrorism Task Force (JTTF) out of the Boston Office, Portland, Maine resident agency. In my duties as a Special Agent, I have gained training and experience in interviewing and interrogation techniques, arrest procedures, search warrant applications, the execution of searches and seizures, the exploitation of lawfully obtained evidence and data, and various other procedures. As a Special Agent, I am authorized by law or by a Government agency to engage in or supervise the prevention, detention, investigation, or prosecution of a violation of Federal criminal laws.

The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification were allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

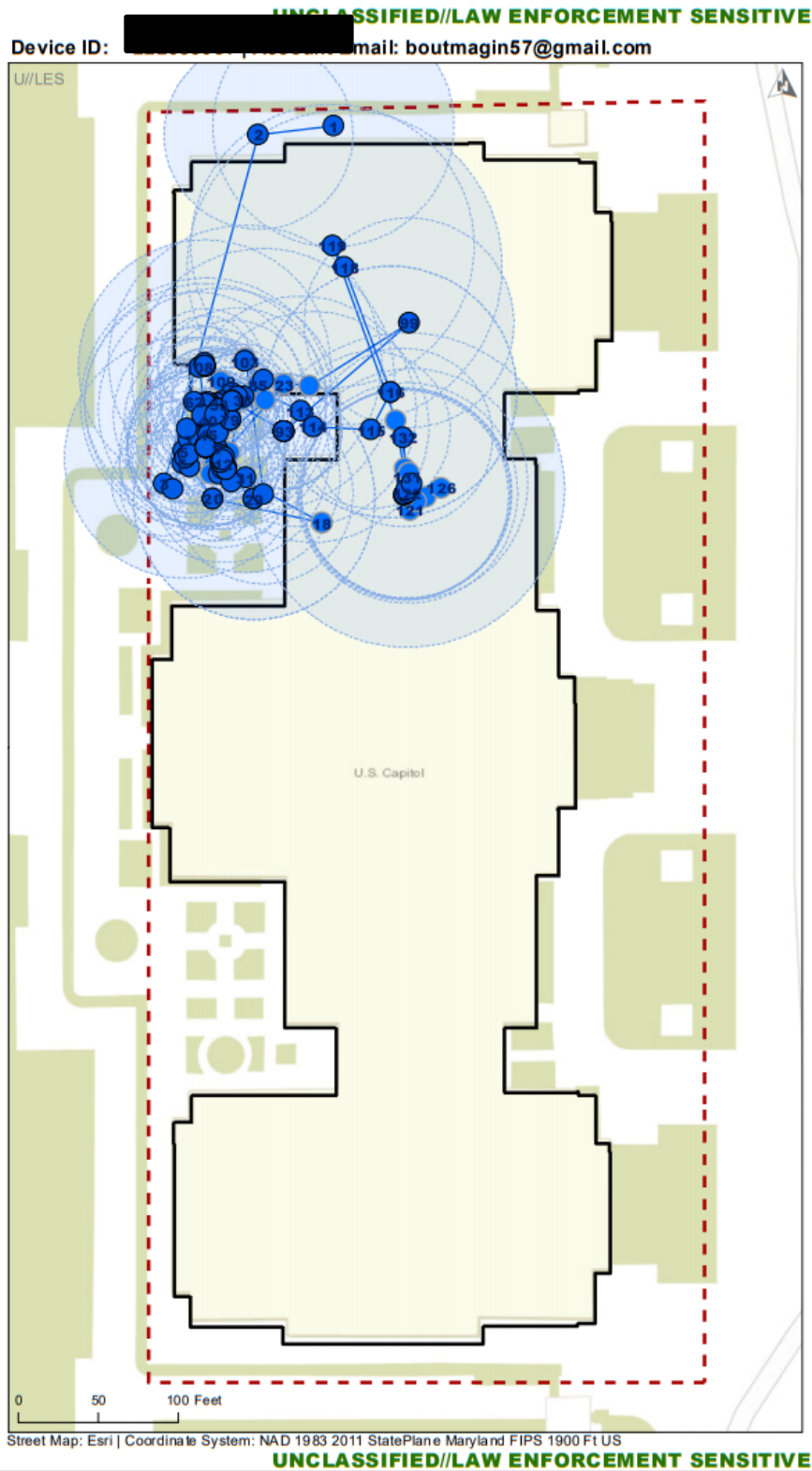
At such time, the certification proceedings were still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, shortly around 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

According to records obtained through a search warrant which was served on Google, a mobile device associated with Google e-mail address “boutmagin57@gmail.com”, Google Account ID: 889658959902, was present at the U.S. Capitol on January 6, 2021. Google estimates device location using sources including GPS data and information about nearby Wi-Fi access points and Bluetooth beacons. This location data varies in its accuracy, depending on the source(s) of the data. As a result, Google assigns a “maps display radius” for each location data point. Thus, where Google estimates that its location data is accurate to within 10 meters, Google assigns a “maps display radius” of 10 meters to the location data point. In this case, Google location data shows that a device associated with Google e-mail address boutmagin57@gmail.com, Google Account ID: 889658959902, was within the U.S. Capitol at the times and locations shown in the map below (“Figure 1”). As illustrated in Figure 1, the location data points encompass areas that are both entirely and partially within the U.S. Capitol Building between 2:32 PM and 3:31 PM (Eastern Time) on January 6, 2021.

Figure 1.



According to records provided by Google, e-mail address boutmagin57@gmail.com was associated to Google Account ID: 889658959902. That email address and Google ID was associated to Josh Colgan; Pay Account information: Joshua Colgan, 412 East Pond Rd, Nobleboro, Maine, cellular number [REDACTED]; Instrument Description: Verizon Wireless [REDACTED]; Instrument Description: Mastercard **** 5473, Instrument Expiration: 1/2023.

According to records provided by Verizon for December 1, 2020 through June 1, 2021, cellular number [REDACTED] was associated with customer names Ane Colgan / Josh Colgan; address 1002 Bunker Hill Road, Jefferson, Maine; account number 985973438-1, IMEI 359637270393396, Device ID 89148000006354801506, IMSI 311480612319256, equipment name and description SAMSUNG GALAXY S20 FE 5G RED.

On August 17, 2021 Josh Colgan was contacted and arrested by Lincoln County Sheriff's Office for a probation violation and failure to appear in court. Colgan, had in his possession, a Red Samsung Galaxy S20 cell phone, cellular number [REDACTED]. However, the IMEI number was listed as 359637279004309. Verizon records for August were requested and reviewed which revealed a new/replacement cellular device, IMEI number 359637279004309, was now associated with the Colgan Verizon account sometime between June 1, 2021 September 1, 2021.

On August 17, 2021, Josh Colgan was interviewed by FBI Agents regarding his involvement in the events of January 6, 2021. Colgan stated he had traveled to Washington, D.C. to hear Former President Trump's speech. Colgan stated he traveled to the U.S Capitol Building after the President Trump's speech. Colgan stated he went up to the U.S. Capitol building, but that he did not enter the Capitol.

United States Capitol Police (USCP) security cameras captured images of individuals unlawfully entering and rioting inside the U.S. Capitol building on January 6, 2021. Based on my knowledge of the events on January 6, 2021, the Senate Wing Door (north side) was a significant point of entry for rioters.

I have reviewed security camera footage as well as third party footage at the U.S. Capitol Building from January 6, 2021. Colgan appears in the stills below dressed in a dark colored sweatshirt and blue "TRUMP" baseball hat with white, red and yellow lettering.

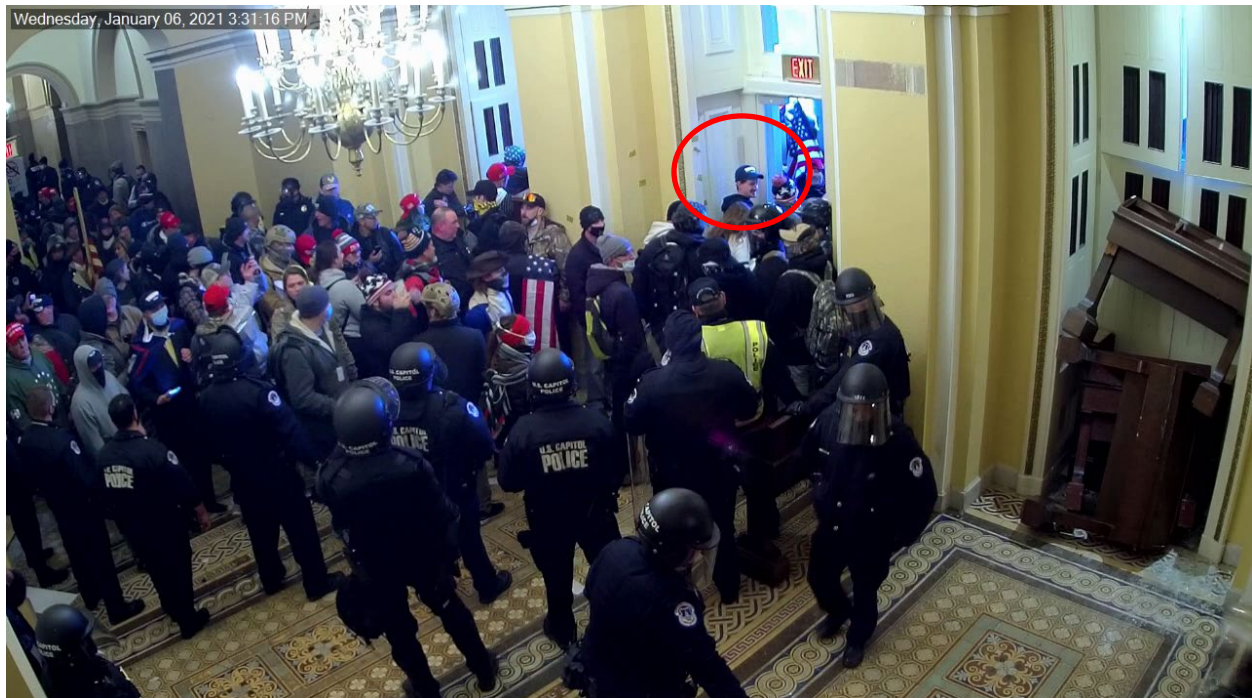
I have compared these images and based on my personal experiencing meeting and interviewing Colgan, they all appear to be Colgan.

Colgan is observed on U.S. Capitol Building security footage exiting the Capitol at approximately 3:31 PM. Your affiant has circled Colgan in red in the two still images labeled **Image 1** and **Image 2**:

Image 1. Colgan Exiting U.S Capitol Building



Image 2. Colgan Exiting U.S Capitol Building



Colgan is also observed on third party video footage inside the U.S. Capitol Building near the Senate Wing door. Your affiant has circled Colgan in red in the two still images labeled **Image 3.** and **Image 4.**:

Image 3. Colgan inside the U.S. Capitol Building (front facing)

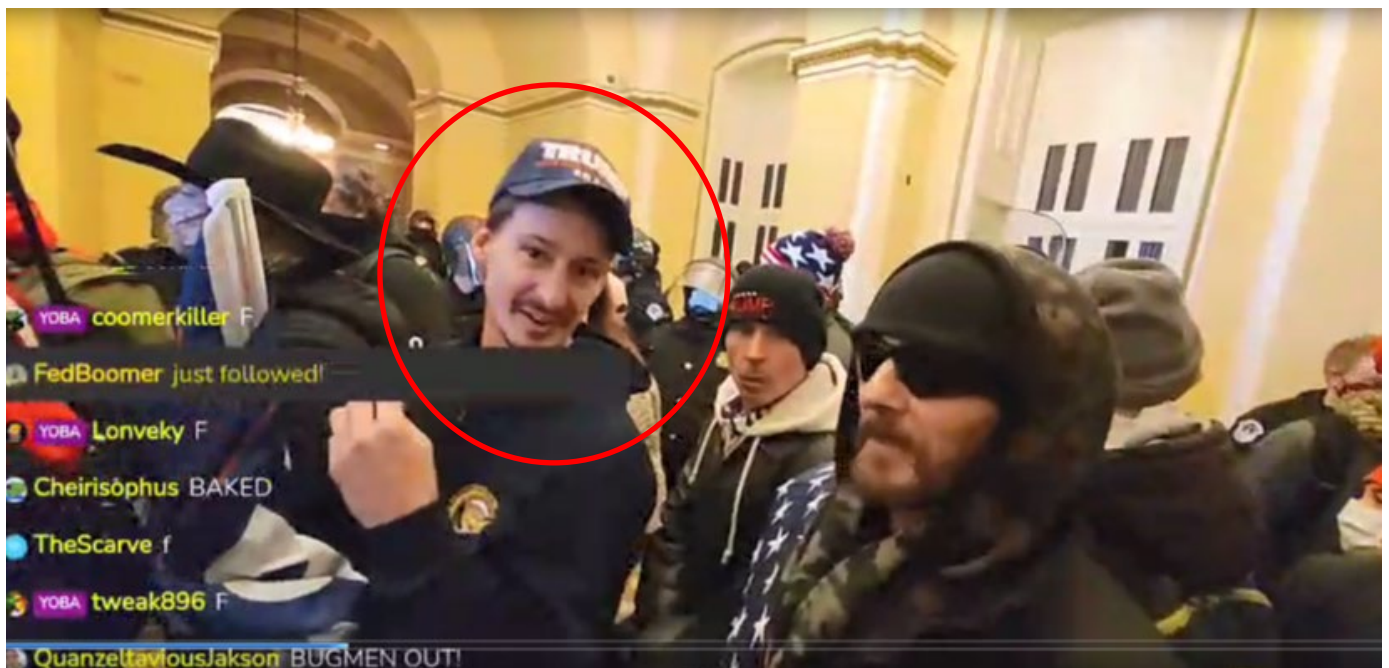
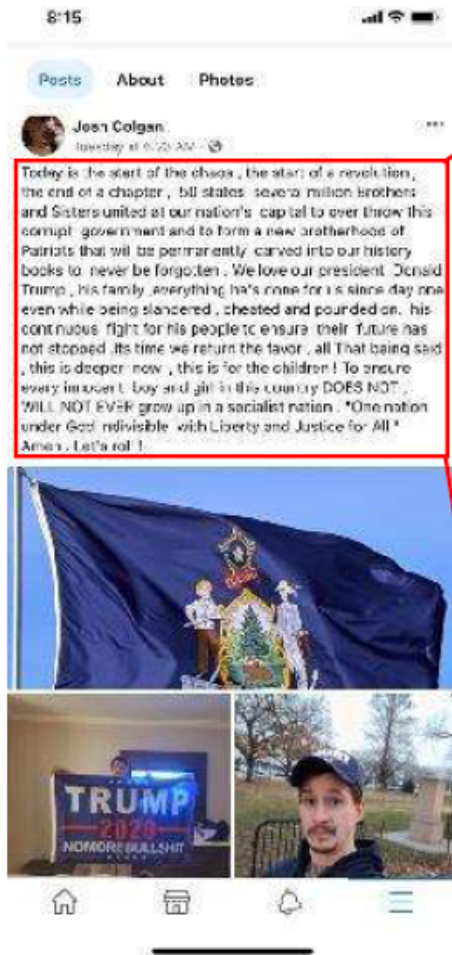


Image 4. Colgan inside the U.S. Capitol Building (side facing)

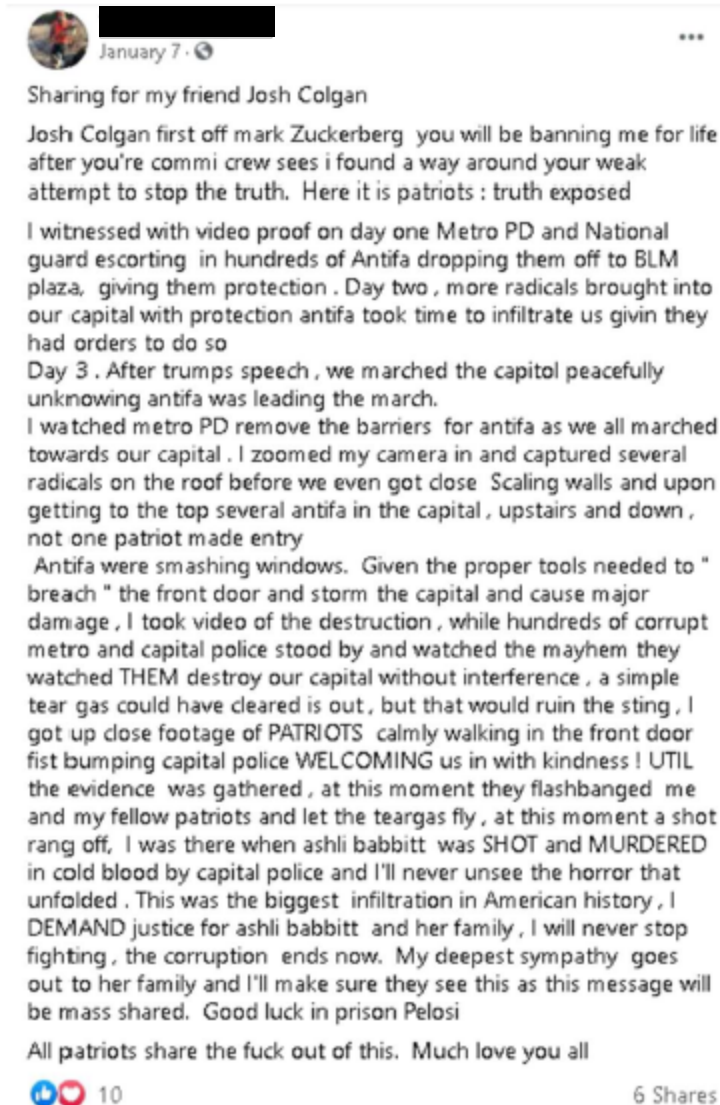


The FBI identified a Facebook account with display name "Josh Colgan" and vanity Id "boutmagin," which appeared to have a cover page photo that matched Colgan. Lawfully received records provided by Facebook indicate that this account is associated with Colgan and the phone number [REDACTED]. A screenshot of a January 5, 2021 post from this facebook account is below:



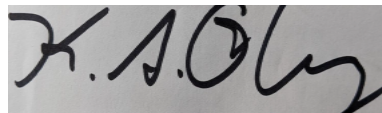
Today is the start of the chaos, the start of a revolution, the end of a chapter, (UI) states several million Brothers and Sisters united at our nation's capitol to over throw this corrupt government and to form a new brotherhood of Patriots that will be permanently carved into our history books to never be forgotten. We love our president Donald Trump, his family, everything he's done for us since day one even while being slandered, cheated and poured on. his continuous fight for his people to ensure their future has not stopped, its time we return the favor, all That being said, this is deeper now, this is for the children! To ensure every innocent boy and girl in this country DOES NOT, WILL NOT EVER grow up in a socialist nation. "One nation under God indivisible with Liberty and Justice for All". Amen. Let's roll!

On January 7, 2021, a tip was submitted to the FBI showing that a Facebook user with the display name [REDACTED] posted the following, indicating that he was posting it on behalf of their "friend Josh Colgan."



Based on the foregoing, your affiant submits that there is probable cause to believe that Colgan violated 18 U.S.C. §§ 1752(a)(1) and (2), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; and (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; or attempts or conspires to do so. For purposes of Section 1752 of Title 18, a "restricted building" includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service, including the Vice President, is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

Your affiant submits there is also probable cause to believe that Colgan violated 40 U.S.C. § 5104(e)(2)(D), which makes it a crime to willfully and knowingly (D) utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress; and (G) parade, demonstrate, or picket in any of the Capitol Buildings.

A handwritten signature in black ink, appearing to read "K. S. Ormberg", is shown above a horizontal line.

Special Agent
Kurt S. Ormberg
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone, this 29th day of April, 2022.

G. MICHAEL HARVEY
U.S. MAGISTRATE JUDGE